



General Assembly

Substitute Bill No. 41

January Session, 2003

**AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR
MEDICALLY NECESSARY NUTRITIONAL FORMULA AND FOOD
PRODUCTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-492c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) For purposes of this section:

4 (1) "Inherited metabolic disease" [means] includes (A) a disease for
5 which newborn screening is required under section 19a-55; and (B)
6 cystic fibrosis.

7 (2) "Low protein modified food product" means a product
8 formulated to have less than one gram of protein per serving and
9 intended for the dietary treatment of an inherited metabolic disease
10 under the direction of a physician.

11 (3) "Amino acid modified preparation" means a product intended
12 for the dietary treatment of an inherited metabolic disease under the
13 direction of a physician.

14 (4) "Specialized formula" means a nutritional formula for children
15 up to age three that is exempt from the general requirements for
16 nutritional labeling under the statutory and regulatory guidelines of

17 the federal Food and Drug Administration and is intended for use
18 solely under medical supervision in the dietary management of
19 specific diseases.

20 (b) Each individual health insurance policy providing coverage of
21 the type specified in subdivisions (1), (2), (4), (6), (11) and (12) of
22 section 38a-469 delivered, issued for delivery or renewed in this state
23 on or after October 1, 1997, shall provide coverage for amino acid
24 modified preparations and low protein modified food products for the
25 treatment of inherited metabolic diseases if the amino acid modified
26 preparations or low protein modified food products are prescribed for
27 the therapeutic treatment of inherited metabolic diseases and are
28 administered under the direction of a physician.

29 (c) Each individual health insurance policy providing coverage of
30 the type specified in subdivisions (1), (2), (4), (6), (11) and (12) of
31 section 38a-469 delivered, issued for delivery or renewed in this state
32 on or after October 1, 2001, shall provide coverage for specialized
33 formulas when such specialized formulas are medically necessary for
34 the treatment of a disease or condition and are administered under the
35 direction of a physician.

36 (d) Such policy shall provide coverage for such food products and
37 formulas on the same basis as outpatient prescription drugs.

38 Sec. 2. Section 38a-518c of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective October 1, 2003*):

40 (a) For purposes of this section:

41 (1) "Inherited metabolic disease" [means] includes (A) a disease for
42 which newborn screening is required under section 19a-55; and (B)
43 cystic fibrosis.

44 (2) "Low protein modified food product" means a product
45 formulated to have less than one gram of protein per serving and
46 intended for the dietary treatment of an inherited metabolic disease

47 under the direction of a physician.

48 (3) "Amino acid modified preparation" means a product intended
49 for the dietary treatment of an inherited metabolic disease under the
50 direction of a physician.

51 (4) "Specialized formula" means a nutritional formula for children
52 up to age three that is exempt from the general requirements for
53 nutritional labeling under the statutory and regulatory guidelines of
54 the federal Food and Drug Administration and is intended for use
55 solely under medical supervision in the dietary management of
56 specific diseases.

57 (b) Each group health insurance policy providing coverage of the
58 type specified in subdivisions (1), (2), (4), (6), (11) and (12) of section
59 38a-469 delivered, issued for delivery or renewed in this state on or
60 after October 1, 1997, shall provide coverage for amino acid modified
61 preparations and low protein modified food products for the treatment
62 of inherited metabolic diseases if the amino acid modified preparations
63 or low protein modified food products are prescribed for the
64 therapeutic treatment of inherited metabolic diseases and are
65 administered under the direction of a physician.

66 (c) Each group health insurance policy providing coverage of the
67 type specified in subdivisions (1), (2), (4), (6), (11) and (12) of section
68 38a-469 delivered, issued for delivery or renewed in this state on or
69 after October 1, 2001, shall provide coverage for specialized formulas
70 when such specialized formulas are medically necessary for the
71 treatment of a disease or condition and are administered under the
72 direction of a physician.

73 (d) Such policy shall provide coverage for such food products and
74 formulas on the same basis as outpatient prescription drugs.

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| This act shall take effect as follows: | |
| Section 1 | October 1, 2003 |

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| Sec. 2 | October 1, 2003 |
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INS *Joint Favorable Subst.*

PH *Joint Favorable*

APP *Joint Favorable*